IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4215 OF 2005

Yasin Ahmed Khatib & Ors. : Petitioners

V/s.

The State of Maharashtra & Ors. : Respondents

...

Mr.G.R.Rege with Mr.S.M.Railkar for the petitioners.

Mr.M.H.Palekar, Asstt. Govt. Pleader, for the respondent nos.1 to 3.

Mr.A.S.Khandeparkar for the respondent nos.4 to 6.

...

CORAM : S.A. BOBDE, J.

September 2, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Palekar, learned Asstt. Govt. Pleader for the respondent nos.1 to 3, and Mr.Khandeparkar for the respondent nos.4 to 6, appear and waive service of rule.

Heard by consent.

2. After hearing the matter for sometime, the following order is passed by consent:-

O R D E R

The Charity Commissioner shall hear both the sides and pass an order on merits in Enquiry Nos.47/1999 and 203/1999 under section 47 of the Bombay Public Trusts Act, 1950 within a period of two months from the date the parties appear before him. The parties are directed to appear before the Charity Commissioner on 20.9.2005. All contentions, including the contention regarding jurisdiction, are kept open. In the meanwhile, the Charity Commissioner may, if he considers appropriate, appoint any person to act as a trustee, after hearing both the sides.

3. The petition stands disposed of in the aforesaid terms.

S.A. BOBDE, J.